

## JOURNAL OF THE HOUSE.

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Wednesday, July 24, 2013.

Met according to adjournment at eleven o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of  
allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

### *Silent Prayer.*

Mrs. Haddad of Somerset being in the Chair,—

George  
Wesley  
Hamblen.

During the session, at the request of Representative Rogers of Norwood, the members, guest and employees stood in a moment of silence in respect to the memory of George Wesley Hamblen. Mr. Hamblen, having lived in Norwood since 1984, died on July 21st at the age of 92.

In 1942, he joined the United States Army and served with the 243rd Field Artillery Battalion, HQ Division, under General George Patton, Third US Army. During the Battle of the Bulge, Wes was shot in his ammunition belt and severely wounded. As the bullets went off around his body, he took several into his back. He was able to get across a frozen minefield, where he received medical attention and was eventually sent home. George Wesley Hamblen was awarded a Purple Heart and a Bronze Star for his heroism.

### *Resolutions.*

Mr. Donato of Medford being in the Chair,—

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Tyler Bruce  
Caldwell.

Resolutions (filed by Representatives Canavan of Brockton, Brady of Brockton and Cronin of Easton) congratulating Tyler Bruce Caldwell of Brockton upon his elevation to the rank of Eagle Scout;

Angelina L.  
Lund.

Resolutions (filed by Mr. Diehl of Whitman) recognizing Angelina L. Lund on the occasion of her one hundredth birthday;

Spencer  
Fair.

Resolutions (filed by Representatives Gobi of Spencer and Durant of Spencer) on the occasion of the one hundred and twenty-fifth anniversary of the Spencer Fair;

Charlene  
Cook.

Resolutions (filed by Ms. Hogan of Stow) congratulating Charlene Cook on her retirement as principal of the Joseph L. Mulready Elementary School in Hudson; and

Janice  
Coduri.

Resolutions (filed by Ms. Peisch of Wellesley) honoring Janice Coduri on her retirement as the Library Director of the Wellesley Free Library;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Humason of Westfield, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

The following additional petition (having been deposited in the office of the Clerk of the House, previously to five o'clock P.M., on Friday, January 22, 2013) was referred, under Rule 24 and Joint Rule 13, as follows:

Amherst,—  
voting  
rights.

By Representative Story of Amherst and Senator Rosenberg, a joint petition (accompanied by bill, House, No. 3590) of Ellen Story and Stanley C. Rosenberg (by vote of the town) relative to resident aliens eighteen years or older residing in the town of Amherst being eligible to vote in local elections. To the committee on Election Laws. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Donato of Medford and Senator Clark, a joint petition (accompanied by bill, House, No. 3591) of Paul J. Donato and others (with the approval of the mayor and city council) relative to preliminary elections in the city of Malden. To the committee on Election Laws.

Malden,—  
elections.

By Representative Koczera of New Bedford and Senator Montigny, a joint petition (accompanied by bill, House, No. 3592) of Robert M. Koczera and Mark C. Montigny (by vote of the town) that the town of Acushnet be authorized to establish a special capital fund from solar tax revenues. To the committee on Municipalities and Regional Government.

Asuchnet,—  
special  
fund.

Severally sent to the Senate for concurrence.

Mr. Durant of Spencer (by request) presented a petition (subject to Joint Rule 12) of Leo Henault relative to the manufacture and sale of sling shots; and the same was referred, under Rule 24, to the committee on Rules.

Sling  
shots.

*Papers from the Senate.*

The House Bill relative to the conveyance of real property by the Commonwealth in the town of Falmouth (House, No. 2853), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1830; inserting before the enacting clause the following emergency preamble:

Falmouth,—  
land.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize a change of use of a certain parcel of land in the town of Falmouth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act authorizing a change of use of a certain parcel of land conveyed by the Commonwealth in the town of Falmouth.”

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

A report of the committee on Public Safety and Homeland Security, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1127) of Sal N. DiDomenico, Anthony W. Petrucci, James J. Dwyer, Aaron Vega and other members of the

Community  
corrections.

Community  
corrections.

General Court for legislation to improve public safety through evidence-based community corrections supervision,— and recommending the same be referred to the committee on the Judiciary,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

*Reports of Committees.*

Brian  
Schwenk,—  
sick leave.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Angelo L. D'Emilia for legislation to establish a sick leave bank for Brian Schwenk, an employee of the Department of Correction. Under suspension of the rules, on motion of Mr. D.Emilia of Bridgewater, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Southborough,—  
warrants.

By Mr. Murphy of Weymouth, for the committee on Election Laws, asking to be discharged from further consideration of the joint petition (accompanied by bill, House, No. 3549) of Carolyn C. Dykema and James B. Eldridge (by vote of the town) that the town administrator of the town of Southborough be authorized to sign warrants submitted by the town accountant,— and recommending that the same be referred to the committee on Municipalities and Regional Government.

Community  
corrections  
supervision.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 2149) of Patricia A. Haddad and others improving public safety through evidence-based community corrections supervision,— and recommending that the same be referred to the committee on the Judiciary.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

Viral  
hepatitis.

By Mr. Sánchez of Boston, for the committee on Public Health, on Senate, No. 1045 and House, No. 2021, a Bill providing for a viral hepatitis prevention, screening, treatment and education program (House, No. 2021) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Health,—  
racial and  
ethnic  
disparities.

By the same member, for the same committee, on Senate, No. 985 and House, No. 2071, a Bill to eliminate racial and ethnic health disparities in the Commonwealth (House, No. 2071) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Eye and  
vision  
care.

By the same member, for the same committee, on a petition, a Bill to improving access to eye and vision care in rural and underserved areas of the Commonwealth (House, No. 2072) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Hemophilia  
advisory  
committee.

By the same member, for the same committee, on a petition, a Bill relative to the hemophilia advisory committee (House, No. 2073) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

Cigar  
sales.

By the same member, for the same committee, on a petition, a Bill banning the sale of cigars in packages of less than five (House, No. 2074) [Representatives Lyons of Andover and Orrall of Lakeville dissenting].

By the same member, for the same committee, on Senate, No. 1057 and House, No. 2078, a Bill relative to the Massachusetts Alzheimer's project (House, No. 2078) [Representatives Lyons of Andover and Orrall of Lakeville dissenting]. Alzheimer's project.

By the same member, for the same committee, on a petition, a Bill relative to the transporting of deceased persons (House, No. 2110) [Representatives Lyons of Andover and Orrall of Lakeville dissenting]. Deceased persons,—transporting.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Kaufman of Lexington, for the committee on Revenue, on House, Nos. 2503, 2538, 2583 and 2720, a Bill relative to bundled cellular telephone transactions (House, No. 3586). Read; and referred, under Rule 33, to the committee on Ways and Means. Cellular telephones,—taxation.

By Mr. Scibak of South Hadley, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill authorizing the town of Norfolk to grant an additional alcoholic beverages license (House, No. 307) [Local Approval Received]. Norfolk,—alcoholic beverages.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Fitchburg to grant an additional license for the sale of wines and malt beverages not to be drunk on the premises (House, No. 3448) [Local Approval Received]. Fitchburg,—alcoholic beverages.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Weston to grant a single license [sic] the sale of wines and malt beverages at food stores (House, No. 3484) [Local Approval Received]. Weston,—alcoholic beverages.

By the same member, for the same committee, on House, No. 3225, a Bill increasing the number of licenses for the sale of alcoholic beverages in the city of Quincy (House, No. 3587) [Local Approval Received]. Quincy,—alcoholic beverages.

By Ms. Peake of Provincetown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to [sic] Cable PEG Access Enterprise Fund (House, No. 1860). Cable PEG Access accounts.

By the same member, for the same committee, on a petition, a Bill relative to insurance proceeds from property claims in the town of Northborough (House, No. 3509) [Local Approval Received]. Northborough,—insurance proceeds.

By the same member, for the same committee, on a petition, a Bill relative to insurance proceeds for injured police and fire personnel in the town of Northborough (House, No. 3510) [Local Approval Received]. Northborough,—police and fire personnel.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Mary Ann Gangemi, an employee of the Department of Public Health (see House, No. 3224), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. Mary Ann Gangemi,—sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Bill  
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Engrossed Bill.*

Bill  
enacted.

The engrossed establishing a sick leave bank for Linda Barlow, an employee of the Department of Mental Health (see House, No. 3468, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

*Recess.*

Recess.

At ten minutes after eleven o'clock A.M., on motion of Mr. Smola of Palmer (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock; and at sixteen minutes after one o'clock, the House was called to order with Mrs. Haddad of Somerset in the Chair.

*Quorum.*

Quorum.

Mr. Peterson of Grafton thereupon asked for a count of the House to ascertain if a quorum was present. The Chair (Mrs. Haddad), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—  
yea and nay  
No. 158.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 150 members were recorded as being in attendance.

**[See Yea and Nay No. 158 in Supplement.]**

Therefore a quorum was present.

Subsequently a statement of Mr. O'Flaherty of Chelsea was spread upon the records of the House, as follows:

Statement of  
Mr. O'Flaherty  
of Chelsea.

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber on official business in another part of the State House for that taking of quorum roll call No. 158, and therefore I was not recorded as being present. My missing of the quorum roll call was due entirely to the reason stated.

*Matters Discharged from the Orders of the Day.*

Greenhouse  
gas initiative  
auction  
proceeds.

The engrossed Bill relative to distribution of regional greenhouse gas initiative auction proceeds (see House, No. 3561), being a printed copy of Section 36 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see Attachment F of House, No. 3566), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

The committee on Bills in the Third Reading reported that the amendment recommended by His Excellency be considered in the form contained in House document 3566, Attachment F (as perfected by said committee); and the report was accepted. The amendment then was rejected.

The bill (see House, No. 3561) then was sent to the Senate for its action.

The engrossed Bill relative to transportation finance (see House, No. 3535, amended), which had been returned by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 3585), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

Transportation  
finance.

After debate on the question on passing the said bill, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 123 members voted in the affirmative and 33 in the negative.

Bill passed  
over veto,—  
yea and nay  
No. 159.

**[See Yea and Nay No. 159 in Supplement.]**

Therefore the bill passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Mr. Wagner of Chicopee then moved that this vote be reconsidered; and the motion to reconsider was negatived.

The bill (see House, No. 3535, amended) then was sent to the Senate for its action.

The engrossed Bill to study the prevention of fraud in the EBT program (see House, No. 3556), being a printed copy of Sections 4, 74 and 75 contained in the engrossed Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3539), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3553), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Dempsey of Haverhill.

EBT  
Program,—  
fraud  
prevention.

The committee on Bills in the Third Reading reported that the amendment recommended by His Excellency be considered in the form contained in House document 3556 (as perfected by said committee); and the report was accepted.

After remarks the amendment was rejected.

Representatives O'Connell of Taunton, Diehl of Whitman and Kuros of Uxbridge then moved to amend the bill by adding the following section:

“SECTION 4. The office of the state auditor shall perform an audit within the department of transitional assistance for the period of January 1, 2012 through December 31, 2013, to ensure that the department is in compliance with procedures, rules and regulations. The audit shall consist of, but not be limited to, the following information:

- (i) verification of social security numbers required prior to a benefit being awarded;
- (ii) verification that self-declarations are not being accepted as proof of eligibility;
- (iii) the number of replacement cards issued; and
- (iv) out-of-state usage of EBT cards.

This audit shall be completed on or before April 1, 2014.”.

Amendment rejected,—yea and nay No. 160.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O'Connell; and on the roll call 46 members voted in the affirmative and 108 in the negative.

**[See Yea and Nay No. 160 in Supplement.]**

Therefore the amendment was rejected.

The bill (see House, No. 3556) then was sent to the Senate for its action.

*Reports of Committees.*

General Appropriation Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor returning with his disapproval of certain items and sections, and also with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538) (for message, see House, No. 3566), reported, in part, in each instance, that certain items (contained in section 2) and sections 3, 36A, 37, 135 and 181 stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey of Haverhill, the following items and sections were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Item 1595-6368 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$238,462,444 to \$162,797,499.

Transportation trust funds item 1595-6368 stands,—yea and nay No. 161.

After remarks on the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 161 in Supplement.]**

Therefore item 1595-6368 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1595-6369 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$275,200,000 to \$160,000,000.

CTF transfer to MBTA item 1595-6369 stands,—yea and nay No. 162.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 162 in Supplement.]**

Therefore item 1595-6369 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1595-6370 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$67,635,055 to \$18,500,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

CTF transfer  
to RTA  
item 1595-6370  
stands,—  
yea and nay  
No. 163.

**[See Yea and Nay No. 163 in Supplement.]**

Therefore item 1595-6370 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1233-2350 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$920,230,293 to \$743,160,293.

After remarks on the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

Unrestricted  
local aid  
item 1233-2350  
stands,—  
yea and nay  
No. 164.

**[See Yea and Nay No. 164 in Supplement.]**

Therefore item 1233-2350 (contained in section 2) was passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0526-0100 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$800,000 to \$750,000.

After remarks on the question on passing said item 0526-0100, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 126 members voted in the affirmative and 30 in the negative.

Historical  
Commission  
item 0526-0100  
stands,—  
yea and nay  
No. 165.

**[See Yea and Nay No. 165 in Supplement.]**

Therefore Item 0526-0100 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1599-7104 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$4,200,000 to \$2,700,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

Dartmouth/  
Bristol CC  
item 1599-7104  
stands,—  
yea and nay  
No. 166.

**[See Yea and Nay No. 166 in Supplement.]**

Dartmouth/  
Bristol CC  
item 1599-7104  
stands,—  
yea and nay  
No. 166.

Therefore item 1599-7104 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4000-0300 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$91,785,813 to \$89,365,813.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call (Mr. Donato of Medford being in the Chair) 155 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 167 in Supplement.]**

Therefore item 4000-0300 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4510-0112 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 168 in Supplement.]**

Therefore item 4510-0112 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 3, which had been reduced by the Governor, then was considered. The Governor had reduced the amount of \$920,230,293 to \$743,160,293 (each time it appears in said section) and in the first paragraph of said section and had stricken the words “in accordance with this section” and inserted in place thereof the following: “by reducing by 17.33 per cent the amount listed for each city or town in the column headed ‘Unrestricted General Government Aid.’”

On the question on passing said section, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 169 in Supplement.]**

Therefore section 3 was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4800-1400 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$22,905,532 to \$22,755,532.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 170 in Supplement.]**

MassHealth  
administration  
item 4000-0300  
stands,—  
yea and nay  
No. 167.

Postpartum  
depression  
program  
item 4510-0112  
stands,—  
yea and nay  
No. 168.

Unrestricted  
local aid  
section 3  
stands,—  
yea and nay  
No. 169.

Domestic  
violence  
services  
item 4800-1400  
stands,—  
yea and nay  
No. 170.

Therefore item 4800-1400 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-0108 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$58,963,556 to \$58,788,556.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 1 in the negative.

**[See Ye and Nay No. 171 in Supplement.]**

Therefore item 7004-0108 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-9005 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$64,400,000 to \$64,300,000.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 126 members voted in the affirmative and 30 in the negative.

**[See Ye and Nay No. 172 in Supplement.]**

Therefore item 7004-9005 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7010-0005 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$14,463,400 to \$13,862,895.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 125 members voted in the affirmative and 30 in the negative.

**[See Ye and Nay No. 173 in Supplement.]**

Therefore item 7010-0005 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7113-0101 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 126 members voted in the affirmative and 30 in the negative.

**[See Ye and Nay No. 174 in Supplement.]**

Therefore item 7113-0101 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Short-term  
housing  
item 7004-0108  
stands,—  
yea and nay  
No. 171.

Housing  
subsidies  
item 7004-9005  
stands,—  
yea and nay  
No. 172.

Elementary and  
secondary  
education  
item 7010-0005  
stands,—  
yea and nay  
No. 173.

College of  
Liberal Arts  
item 7113-0101  
stands,—  
yea and nay  
No. 174.

Item 7514-0102 (contained in section 2), which had been vetoed by the Governor, then was considered.

Springfield  
Technical CC  
Assistance  
Corporation  
item 7514-0102  
stands,—  
yea and nay  
No. 175.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 24 in the negative.

**[See Yea and Nay No. 175 in Supplement.]**

Therefore item 7514-0102 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8000-0600 (contained in section 2), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$2,072,230 to \$1,972,230.

Bulletproof  
vests  
item 8000-0600  
stands,—  
yea and nay  
No. 176.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 126 members voted in the affirmative and 30 in the negative.

**[See Yea and Nay No. 176 in Supplement.]**

Therefore item 8000-0600 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 36A, which had been vetoed by the Governor, then was considered.

Tramway  
section 36A  
stands,—  
yea and nay  
No. 177.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 177 in Supplement.]**

Therefore section 36A was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 37, which had been vetoed by the Governor, then was considered.

Tramway  
section 37  
stands,—  
yea and nay  
No. 178.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 178 in Supplement.]**

Therefore section 37 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 135, which had been vetoed by the Governor, then was considered.

Mosquito  
control projects  
section 135  
stands,—  
yea and nay  
No. 179.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 179 in Supplement.]**

Therefore section 135 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 181, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 180 in Supplement.]**

Therefore section 181 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor returning with his disapproval of certain items and sections and parts of certain items and sections, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3539) (for message, see House, No. 3555), reported, in part, in each instance, that certain items (contained in sections 2, 2A and 2E) and sections 37, 38, 44, 45 and 69 stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey of Haverhill, the following items and sections were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Item 0340-1100 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 132 members voted in the affirmative and 23 in the negative.

**[See Ye and Nay No. 181 in Supplement.]**

Therefore item 0340-1100 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1599-0090 (contained in section 2A), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$1,207,450 to \$307,450.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 182 in Supplement.]**

Department of  
Correction  
food  
procurement  
section 181  
stands,—  
yea and nay  
No. 180.

Supplemental  
Appropriation  
Bill.

Berkshire  
District  
Attorney  
item 0340-1100  
stands,—  
yea and nay  
No. 181.

Local disaster  
projects  
item 1599-0090  
stands,—  
yea and nay  
No. 182.

Therefore item 1599-0090 (contained in section 2A) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 37, which had been vetoed by the Governor, then was considered.

State parks and recreation section 37 stands,— yea and nay No. 183.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 183 in Supplement.]**

Therefore section 37 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 38, which had been vetoed by the Governor, then was considered.

State parks and recreation section 38 stands,— yea and nay No. 184.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 184 in Supplement.]**

Therefore section 38 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4590-0925 (contained in section 2A), which had been vetoed by the Governor, then was considered.

Prostate cancer research item 4590-0925 stands,— yea and nay No. 185.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 185 in Supplement.]**

Therefore item 4590-0925 (contained in section 2A) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-0099 (contained in section 2), which had been vetoed by the Governor, then was considered.

Housing administration item 7004-0099 stands,— yea and nay No. 186.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 126 members voted in the affirmative and 29 in the negative.

**[See Yea and Nay No. 186 in Supplement.]**

Therefore item 7004-0099 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Subsequently a statement of Mr. Mirra of West Newbury was spread upon the records of the House, as follows:

Statement of Mr. Mirra of West Newbury.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call it was my intention to vote in the negative. However, I now find that, for some inexplicable reason, I was recorded in the affirmative.

Section 69, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 125 members voted in the affirmative and 30 in the negative.

Housing  
administration  
section 69  
stands,—  
yea and nay  
No. 187.

**[See Yea and Nay No. 187 in Supplement.]**

Therefore section 69 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 44, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 154 members voted in the affirmative and 0 in the negative.

Homeless  
individuals  
section 44  
stands,—  
yea and nay  
No. 188.

**[See Yea and Nay No. 188 in Supplement.]**

Therefore section 44 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 45, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

Homeless  
individuals  
section 45  
stands,—  
yea and nay  
No. 189.

**[See Yea and Nay No. 189 in Supplement.]**

Therefore section 45 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7066-0009 (contained in section 2), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

New England  
Board of  
Higher  
Education  
item 7066-0009  
stands,—  
yea and nay  
No. 190.

**[See Yea and Nay No. 190 in Supplement.]**

Therefore item 7066-0009 (contained in section 2) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8910-0106 (contained in section 2A), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

Worcester  
County Sheriff  
item 8910-0106  
stands,—  
yea and nay  
No. 191.

**[See Yea and Nay No. 191 in Supplement.]**

Therefore item 8910-0106 (contained in section 2A) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-2027 (contained in section 2E), which had been vetoed by the Governor, then was considered.

Housing/  
MassDOT  
item 7004-2027  
stands,—  
yea and nay  
No. 192.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 192 in Supplement.]**

Therefore item 7004-2027 (contained in section 2E) was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

General  
Appropriation  
Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor returning with his disapproval of certain items and sections, and also with recommendations of amendments of certain sections contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538) (for message, see House, No. 3566), reported, in part, that item 8100-1001 (contained in section 2) stand (as passed by the General Court). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Dempsey of Haverhill, item 8100-1001 (contained in section 2), which had been reduced by the Governor by striking certain wording and by reducing said item from \$238,462,444 to \$162,797,499 was considered forthwith.

State police  
item 8100-1001  
stands,—  
yea and nay  
No. 193.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 154 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 193 in Supplement.]**

Therefore item 8100-1001 (contained in section 2) was passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Supplemental  
Appropriation  
Bill.

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on a message from His Excellency the Governor, returning with his disapproval of certain items and sections and parts of certain items and sections, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 3539) (for message, see House, No. 3555), reported, in part, in each instance, that sections 50 and 51 stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. Dempsey, the following sections were considered; and the sense of the House, in each instance, was determined by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution, as follows:

Section 50, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

State police section 50 stands,—  
yea and nay  
No. 194.

**[See Yea and Nay No. 194 in Supplement.]**

Therefore section 50 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Section 51, which had been vetoed by the Governor, then was considered.

On the question on passing said section, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by the Constitution; and on the roll call 155 members voted in the affirmative and 0 in the negative.

State police section 51 stands,—  
yea and nay  
No. 195.

**[See Yea and Nay No. 195 in Supplement.]**

Therefore section 51 was passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

*Orders of the Day.*

The Senate Bill authorizing the city of Newburyport to impose liens upon the properties in the town of Newbury which connect to the water and sewer systems of the city (Senate, No. 973), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third reading bill.

House bills

Authorizing the conveyance of certain state land in the town of Sharon (House, No. 2831, changed);

Third reading bills.

Relative to the capital investment fund of the town of Sterling (House, No. 3357) (its title having been changed by the committee on Bills in the Third Reading); and

Amending the charter of the town of Randolph (House, No. 3439);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The Senate Bill authorizing the city of Lynn to establish a program for enforcement against illegal dumping (Senate, No. 1784); and

Second reading bills.

House bills

Relative to school served food products (House, No. 130);

Protecting potluck events (House, No. 1997);

Second  
reading  
bills.

To define further teacher for retirement purposes (House, No. 2384);  
and

Designating a certain parcel of land in the city of Cambridge as the  
Lynch family skate park (House, No. 2892)

Severally were read a second time; and they were ordered to a third  
reading.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

Next  
sitting.

*Ordered,* That when the House adjourns today, it adjourn to meet  
tomorrow at eleven o'clock A.M.

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Accordingly, without further consideration of the remaining matters  
in the Orders of the Day, at twenty-five minutes after five o'clock  
P.M., on motion of Mr. Smola of Palmer (Mr. Donato of Medford  
being in the Chair), the House adjourned, to meet the following day at  
eleven o'clock A.M., in an Informal Session.